

**CWP-13188-2024****-1-****IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH****(123)****CWP-13188-2024****Date of decision: - 29.05.2024****Mandeep Kaur****....Petitioner****Versus****State of Punjab and others****.....Respondents****CORAM : HON'BLE MR. JUSTICE VIKAS BAHL**

Present:- Mr. Prabhjot Singh Mann, Advocate, and
Mr. Naveen Kumar Mehra, Advocate,
for the petitioner.

Mr. TPS Walia, AAG, Punjab.

VIKAS BAHL, J. (ORAL)

1. Present writ petition has been filed under Article 226/227 of the Constitution of India for issuance of a writ in the nature of mandamus directing the respondents to initiate an inquiry against respondents No.5 and 6 as they have changed the internal assessment report after it was uploaded to the portal and the same has been done without informing the petitioner.

2. Learned counsel for the petitioner has submitted that for the grievances raised by the petitioner, the petitioner had given a legal notice dated 16.02.2024 (Annexure P-4) and has submitted that respondent No.2 be directed to take a final decision on the said legal notice dated 16.02.2024 (Annexure P-4), in a time bound manner, in accordance with

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law and after hearing all the parties concerned. It is further submitted that in case, the pleas raised by the petitioner are found to be meritorious by respondent No.2, then, appropriate action in accordance with law be taken and in case, respondent No.2 is of the opinion that pleas raised by the petitioner are found to be meritless, then, a speaking order rejecting the claim be passed and that the petitioner would not further challenge the said decision.

3. Learned counsel for the respondents has submitted that respondent No.2 would take a final decision on the legal notice dated 16.02.2024 (Annexure P-4), filed by the petitioner, within a period of three months from the date of receipt of certified copy of the present order, subject to the petitioner not further challenging the same, in case, the decision of the respondent authorities is taken against the petitioner.

4. Keeping in view the above-said facts and circumstances, the present writ petition is disposed of with a direction to respondent No.2 to take a final decision on the legal notice dated 16.02.2024 (Annexure P-4), after hearing all the parties concerned, within a period of three months from the date of receipt of certified copy of the present order and in case, the pleas raised by the petitioner are meritorious, then, the appropriate action in accordance with law be taken. In case, respondent No.2 is of the view that the pleas raised by the petitioner are meritless, then, it would be open to the respondent authorities to reject the said legal notice of the petitioner by passing a speaking order. As undertaken by the petitioner, no further challenge would be made to the said order passed on the legal notice by the petitioner.

5. It is made clear that this Court has not opined on the merits of the case and respondent No.2 would consider and decide the matter independently, in accordance with law.

May 29, 2024
naresh.k

(VIKAS BAHL)
JUDGE

Whether reasoned/speaking?	Yes/No
Whether reportable?	Yes/No